

MEMORANDUM

GOE
Agenda Item No. 3 (C)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** November 14, 2003

FROM: Robert A. Ginsburg
County Attorney **SUBJECT:** Ordinance relating to
residency requirements
for Miami-Dade County
employees

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Jimmy L. Morales.



Robert A. Ginsburg
County Attorney

RAG/bw



MEMORANDUM

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. **DATE:**
and Members, Board of County Commissioners

FROM: George M. Burgess
County Manager

A handwritten signature in black ink, which appears to be "G. Burgess", is written over the printed name of George M. Burgess.

SUBJECT: Ordinance Relating to
Residency Requirements for
Miami-Dade County
Employees

This proposed ordinance relating to residency requirements for Miami-Dade County employees will have no fiscal impact on Miami-Dade County. This ordinance simply allows the County Manager to waive the residency requirements under certain conditions in cases where it is in the best interest of the County.


cmo01104



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D. **DATE:** December 4, 2003
and Members, Board of County Commissioners

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 13(M)
11-4-03

ORDINANCE NO. _____

ORDINANCE RELATING TO RESIDENCY REQUIREMENTS
FOR MIAMI-DADE COUNTY EMPLOYEES AMENDING
SECTION 2-11.17 OF THE CODE OF MIAMI-DADE COUNTY,
FLORIDA; AUTHORIZING THE COUNTY MANAGER TO
WAIVE THE REQUIREMENTS UNDER CERTAIN
CONDITIONS; PROVIDING SEVERABILITY, INCLUSION IN
THE CODE, AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 2-11.17 of the Code of Miami-Dade County, Florida, is hereby
amended to read as follows:¹

Sec. 2-11.17. Residency condition for new employees.

1. As of the effective date of this section, no person shall be newly employed by Miami-Dade County or any of its authorities, agencies or instrumentalities unless resident in Miami-Dade County or unless prepared to sign a covenant that he or she will move to Miami-Dade County within six (6) months of employment by the County. Newly hired employees subject to a probationary period shall sign a covenant that he or she will move to Miami-Dade County within three (3) months of completing their prescribed probationary period.
2. All employees of Miami-Dade County hired after the effective date of this section shall maintain their domicile and principal place of residence within the corporate limits of Miami-Dade County during the period of their employment with Miami-Dade County.

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

3. Any employee of Miami-Dade County hired after the effective date of this section that does not at all times during such employment maintain his or her domicile and principal place of residence in Miami-Dade County may be dismissed from County service.
4. This provision shall not be construed to deprive any employee of rights provided by a collective bargaining agreement.
5. The County Manager is authorized to waive the residency requirements for humanitarian reasons. >>Additionally, the County Manager is authorized to waive the residency requirements for Homeland Security-related positions for three (3) years after September 11, 2001, upon a finding that a waiver is: (1) in the best interest of the County; (2) necessary to ensure the employment of the most highly qualified Homeland Security professionals in their field of expertise, including individuals requiring specific certifications and/or technical credentials; and (3) an extensive search of candidates residing in Miami-Dade County has been conducted. The County Manager shall submit at the next scheduled County Commission meeting a report item regarding the specific waivers granted for Homeland Security purposes.<< ~~[[Quarterly, the County Manager shall submit to the County Commission a list of waivers granted and the reasons for said waivers.]]~~
6. The Building Department is authorized to hire plans examiners and building inspectors in all trades who reside in Broward County. New employees in these job classifications will not be required to move to Miami-Dade County.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may

be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

RDC

Prepared by:

WXC

William X. Candela

Sponsored by Commissioner Jimmy L. Morales